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GREAT FALLS  
CLERK OF DISTRICT COURT  
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PATRICK E. DUFFY, CLERK  
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MONTANA EIGHTH JUDICIAL DISTRICT COURT, CASCADE COUNTY

JOHN D. JACKSON,

Plaintiff,

vs.

DIVERSIFIED CLINICAL SERVICES, INC.,

Defendant.

CAUSE NO. **BDV-12-0589**

COMPLAINT AND DEMAND FOR JURY TRIAL

**JULIE MACEK**

**CN-12-65-GF-SEN**

Plaintiff alleges:

1. Plaintiff was employed by Defendant as the program director of the wound care center at Benefis hospital in Great Falls, Montana.
2. While Plaintiff was employed by Defendant, Defendant had a written personnel policy that all employees including Plaintiff were employed at-will and could be terminated for any reason or no reason with or without notice.
3. While Plaintiff was employed by Defendant, Benefis hospital terminated a Benefis hospital employee who was on leave for cancer treatment. The termination of the employee by Benefis hospital was callous, wrongful, and a violation of public policy. Plaintiff knew the termination of the Benefis hospital employee was a horrible injustice. Plaintiff reported the termination and tried to assist the employee in obtaining reinstatement. The employee grieved the termination and Benefis hospital reinstated the employee to remedy the wrongful termination and violation of public policy.
4. After Plaintiff reported Benefis hospital's wrongful termination and violation of public

policy, on or about May 11, 2012, Defendant terminated Plaintiff's employment.

5. When Defendant terminated Plaintiff's employment, Plaintiff was not in a probationary period of employment, was not covered by a written collective bargaining agreement, and did not have a written contract of employment for a specific term.

6. In Montana, at-will employment is illegal and against public policy.

7. Defendant terminated Plaintiff's employment under an illegal at-will employment policy.

8. Defendant terminated Plaintiff's employment in violation of its own written personnel policies.

9. Defendant terminated Plaintiff's employment not for good cause.

10. Defendant terminated Plaintiff's employment in retaliation for Plaintiff reporting a violation of public policy.

11. Defendant's termination of Plaintiff's employment was a wrongful discharge under the Montana Wrongful Discharge from Employment Act.

Plaintiff prays for judgment against Defendant for:

A. All damages allowed by law including (a) lost wages and benefits for four years from the date of discharge and (b) interest on the lost wages and fringe benefits; and

B. Any additional relief the Court deems just and equitable.

**Jury Demand**

Plaintiff demands trial by jury on all issues triable of right by a jury.

Dated August 1, 2012.

JARDINE, STEPHENSON, BLEWETT & WEAVER, P.C.

By

  
Jon Kudrna